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LEGISLATIVE HISTORY

Public Law 829  
S. 2216

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## INDEX AND SUMMARY OF S. 2216

June 14, 1955     Sen. Ellender introduced S. 2216 which was referred to the Senate Committee on Agriculture and Forestry. Print of bill as introduced.

June 12, 1956     Senate subcommittee ordered S. 2216 reported.

July 10, 1956     Senate committee ordered S. 2216 reported with amendment.

July 11, 1956     Senate committee reported S. 2216 with an amendment. Senate Report No. 2511. Print of bill and report.

July 16, 1956     Senate passed S. 2216 as reported.

July 17, 1956     S. 2216 was referred to the House Committee on Agriculture. Print of bill as referred. House committee ordered S. 2216 reported.

July 18, 1956     House committee reported S. 2216 without amendment. House Report No. 2792. Print of bill and report.

July 23, 1956     House passed S. 2216 without amendment.

July 28, 1956     Approved: Public Law 829, 84th Cong.



EXPANDED USES OF NATIONAL FOREST LANDS. Authorizes the Secretary of Agriculture, under such terms and conditions as he deems proper, to permit the use and occupancy of not to exceed 80 acres of national-forest land for periods not exceeding 30 years, for the following purposes: (1) constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (2) constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (3) construction or maintenance, by any State, political subdivision thereof, or any public or nonprofit agency, of buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The Act also authorizes the Secretary to permit the use and occupancy of not to exceed 5 acres of national-forest land, for periods not exceeding 30 years, for the construction or maintenance of summer homes and stores.









84TH CONGRESS  
1ST SESSION

# S. 2216

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## IN THE SENATE OF THE UNITED STATES

JUNE 14, 1955

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

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## A BILL

To amend the Act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the last paragraph under the heading "FOREST SERV-  
4       ICE" in the Act of March 4, 1915 (38 Stat. 1086, 1101;  
5       16 U. S. C. 497), is amended to read as follows:

6       "The Secretary of Agriculture is authorized, under such  
7       regulations as he may make and upon such terms and con-  
8       ditions as he may deem proper, (a) to permit the use  
9       and occupancy of suitable areas of land within the national  
10      forests, not exceeding eighty acres and for periods not  
11      exceeding thirty years, for the purpose of constructing or

1 maintaining hotels, resorts, and any other structures or fa-  
2 cilities necessary or desirable for recreation, public conveni-  
3 ence, or safety; (b) to permit the use and occupancy of  
4 suitable areas of land within the national forests, not exceed-  
5 ing five acres and for periods not exceeding thirty years, for  
6 the purpose of constructing or maintaining summer homes  
7 and stores; (c) to permit the use and occupancy of suitable  
8 areas of land within the national forest, not exceeding eighty  
9 acres and for periods not exceeding thirty years, for the pur-  
10 pose of constructing or maintaining buildings, structures, and  
11 facilities for industrial or commercial purposes whenever such  
12 use is related to or consistent with other uses on the national  
13 forests; (d) to permit any State or political subdivision  
14 thereof, or any public or nonprofit agency, to use and occupy  
15 suitable areas of land within the national forests not exceed-  
16 ing eighty acres and for periods not exceeding thirty years,  
17 for the purpose of constructing or maintaining any buildings,  
18 structures, or facilities necessary or desirable for education  
19 or for any public use or in connection with any public  
20 activity.”



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A BILL

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To amend the Act of March 4, 1915 (38 Stat.  
1086, 1101; 16 U. S. C. 497).

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By Mr. ELLENDER

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JUNE 14, 1955  
Read twice and referred to the Committee on  
Agriculture and Forestry



A BILL

TO AMEND THE ACTS OF THE GENERAL ASSEMBLY OF THE STATE OF NEW YORK, PASSED IN 1901, CHAP. 101, AS AMENDED, IN RELATION TO THE REGISTRATION OF VOTERS, AND TO REPEAL CHAPTER 101, AS AMENDED, OF THE ACTS OF 1901, IN SO FAR AS THEY RELATE TO THE REGISTRATION OF VOTERS.

ENACTED BY THE SENATE, JANUARY 1, 1910.

REPORT OF THE SENATE, JANUARY 1, 1910.



# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued June 13, 1956  
For actions of June 12, 1956  
84th-2nd, No. 97

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HIGHLIGHTS: House debated conference report on bill to provide Federal assistance to small irrigation projects. House received conference report on Commerce appropriation bill. Senate subcommittee ordered reported bills to establish town-sites from national forests, establish forest experiment station in N. Dak., and broaden present authority for use and occupancy of land within national forests. Senate committee ordered reported bill to transfer Puerto Rican hurricane relief funds to USDA. House committee ordered reported bill to amend Public Law 480. House subcommittee ordered reported bill to provide civil penalties for violations of Federal Seed Act.

### SENATE

1. THE AGRICULTURE AND FORESTRY SUBCOMMITTEE on Soil Conservation and Forestry ordered reported to the full committee the following bills: (p. D609)
    - H.R. 426, without amendment, providing for the establishment of townsites from national forests or land administered under the Bankhead-Jones Farm Tenant Act.
    - S. 2900, without amendment, providing for the establishment and maintenance of a forest experiment station in N. Dak.
    - S. 2216, with amendment, to amend the act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses.
    - S. 3133, with amendment, providing for the conveyance of certain real property to the city of Boise, Idaho.
- The "Daily Digest" states that "the subcommittee agreed to hold hearings at dates in the near future on S. 1359, regarding consent of congressional committees for sale of certain lands acquired by U. S. under title III of Bankhead-Jones Farm Tenant Act, and S. 3727, to amend the Watershed Protection and Flood Prevention Act." p. D609

2. THE INTERIOR AND INSULAR AFFAIRS COMMITTEE ordered reported the following bills:  
(p. D610)  
H.R. 8385, without amendment, to transfer to the Secretary of Agriculture the responsibilities relating to Puerto Rican hurricane relief loans.  
S. 3512, without amendment, to permit desert-land entries on disconnected tracts of lands which, in the case of any one entryman, form a compact unit and do not exceed in the aggregate 320 acres.  
S. 3665, with amendment, to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands.  
S. 3743, with amendment, to transfer certain land from the Lassen National Forest to the Lassen Volcanic National Park, Calif.

HOUSE

3. APPROPRIATIONS. Received the conference report on H.R. 10899, the Commerce Department and related agencies appropriation bill for 1957 (H. Rept. 2344). pp. 9070, 9105  
Rep. Rabaut requested and received permission for the conference committee to file a report on H.R. 10003, the D. C. appropriation bill for 1957, by not later than Tues., June 12 midnight. p. 9067
4. RECLAMATION. Began debate on the conference report on H.R. 5881, to provide Federal assistance to local irrigation districts, water districts, and other public agencies in the construction of small projects, but deferred a vote until Wed., June 13. pp. 9068, 9071
5. FOREIGN TRADE. The Agriculture Committee ordered reported H.R. 11708, to amend the Agricultural Trade Development and Assistance Act of 1954, after a consideration of H.R. 11403 and H.R. 11443, similar bills. p. D611  
Rep. Bailey criticized a proposal to finance surveys on the effect of tariff policies on domestic industries by Federal funds, and inserted a letter questioning the completeness of a Minnesota survey of this nature. p. 9103
6. SEED. The Equipment, Supplies, and Manpower Subcommittee of the Agriculture Committee ordered reported to the full committee S. 1688, to remove the criminal penalty for inadvertent violations of the Federal Seed Act and to prescribe civil penalties for such violations of the Act. p. D611
7. EXTENSION WORK. Rep. Dixon paid tribute to the 24th National 4-H Club Camp and commended the 4-H clubs for their activities. p. 9092
8. DAIRYING. Rep. Dixon cited the publication, Dairy Situation, for indicating that cash receipts from dairy products would be above the 1955 level. p. 9092
9. POULTRY. Rep. Rogers, Mass., criticized the importation of certain poultry products from Argentina and Canada as being detrimental to Mass. poultry producers. p. 9094
10. EDUCATION. Received from HEW a proposed bill "to encourage and assist the States in the establishment of State Committees on Education Beyond the High School"; to the Education and Labor Committee. p. 9105
11. FORESTRY. The Interior and Insular Affairs Committee reported without amendment H.R. 9974, to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in Wis. (H. Rept. 2331). p. 9105







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued July 11, 1956  
For actions of July 10, 1956  
84th-2nd, No. 116

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HIGHLIGHTS: Senate committees ordered reported the following bills: Farm loan bill. Broaden authority for use and occupancy of land within national forests. Broaden law on practices in marketing perishable commodities. Permit processors to buy cotton futures contracts. Eliminate delay in starting watershed projects. Dispose of Akron synthetic rubber laboratory. House Rules Committee cleared supplemental appropriation bill. House agreed to resolution for consideration of marketing facilities bill. House committee ordered reported bill to add cranberries for canning and freezing to Marketing Agreement Act. House agreed to resolution for consideration of trip leasing bill. Rep. Johnson, Wis., discussed need for stabilizing income of dairy farmers.

## HOUSE

1. APPROPRIATIONS. The Rules Committee reported a resolution for consideration of H. R. 12138, the supplemental appropriation bill for 1957. p. 11069
2. TRANSPORTATION. Agreed to a resolution for consideration of S. 898, to amend the Interstate Commerce Act so as to authorize ICC to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property, but to prohibit regulation of the duration of, or the terms of pay under, certain trip-leasing arrangements. p. 11074
3. MARKETING. Agreed to a resolution for the consideration of H. R. 4054, to provide a system of mortgage insurance to municipal and other political subdivisions of the States, to be administered by USDA, for the expansion of public marketing of perishable commodities. p. 11075  
The Agriculture Committee ordered reported H. R. 8384, to extend the provisions of the Agricultural Marketing Agreement Act of 1937, to cranberries for canning or freezing processing. p. D767



4. LANDS. The Agriculture Committee reported without amendment (H.Rept. 2668), H. J. Res. 642, to provide for the quitclaim of certain FHA land in Coahoma County, Miss. p. D767  
Interior and Insular Affairs Committee ordered reported H. R. 10371, to provide that withdrawals or reservations of more than 5,000 acres of public lands of the U. S. for certain purposes shall not become effective until approved by act of Congress. p. D768
5. RECLAMATION. Agreed to a resolution for the consideration of H. R. 10643, to authorize the construction, operation, and maintenance of the Washoe reclamation project, Nev. and Calif. p. 11072  
Received from the Interior Department a report on the Farwell unit, Neb., of the Missouri River Basin project (H. Doc. 445); to the Interior and Insular Affairs Committee. p. 11083
6. FLOOD CONTROL. The Rules Committee reported a resolution for the consideration of H. R. 12080, to authorize the construction, repair, and preservation of certain Army public works on rivers and harbors for navigation and flood control. p. 11083  
The Public Works Committee reported without amendment S. 1358, to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513-512R, Neb. (H. Rept. 2676). p. 11083
7. FOREIGN TRADE. The Ways and Means Committee ordered reported H. R. 9396, to provide for the duty-free importation of guar seed. p. D769
8. FARM PROGRAM. Rep. Hand discussed the problems of New Jersey agriculture and suggested that more attention should be paid to the farm problems of the Northeast in research, conservation, and crop insurance. p. 11075

SENATE

9. AGRICULTURE AND FORESTRY COMMITTEE ordered reported the following bills: p.D765  
H. R. 5337, without amendment, to broaden the provisions of law relating to practices in the marketing of perishable agricultural commodities;  
H. R. 9333, without amendment, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases;  
H. R. 9339, without amendment, authorizing the exchange of certain U. S. lands in Union County, Ga., for lands in the Chattahoochee National Forest;  
H. R. 11873, without amendment, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days;  
S. 3429, with amendment, to improve and simplify the credit facilities available to farmers and to amend the Bankhead-Jones Farm Tenant Act;  
S. 2216, with amendment, to amend the act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses;  
S. 3133, with amendment, to provide for the conveyance of certain real property of the U. S. to Boise, Ida.
10. RESEARCH. The Banking and Currency Committee ordered reported with amendment S. 3832, to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio.







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued July 12, 1956  
For actions of July 11, 1956  
84th-2nd, No. 117

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HIGHLIGHTS: Senate ratified International Wheat Agreement. Senate committees reported the following bills: Farm loan bill. Broaden authority for use and occupancy of land within national forests. Broaden law on practices in marketing perishable commodities. Forest products price reporting. Permit processors to buy cotton futures contracts. Eliminate delay in starting watershed projects. Dispose of Akron synthetic rubber laboratory. Senate received from President supplemental appropriation request for commission on Increased Use of Agricultural Products.  
(Continued on page 7)

## HOUSE

1. FOREIGN AID. Passed with amendments H. R. 12130, the mutual security appropriation bill, by a vote of 120 to 284. The amendments adopted would provide that not less than \$15,000,000 of the \$35,000,000 for Latin American defense support be used to aid Guatamala, and that no funds contained in the mutual security appropriation bill be used for international educational exchange activities.  
p. 11180
2. FOREIGN TRADE. Both Houses received from the President the 4th semi-annual report on activities carried on under Public Law 480, 83rd Congress (H. Doc. 447); to the Senate Agriculture and Forestry Committee and the House Agriculture Committee. pp. 11085, 11224  
The Ways and Means Committee reported with amendment H. R. 9396, to amend the Tariff Act of 1930 to place guar seed on the free list (H. Rept. 2681).  
p. 11235
3. WATER SUPPLY. The Public Works Committee reported without amendment S. 2374, to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from flood control and river and harbor projects (H. Rept. 2683). p. 11236

4. BUDGETING; ACCOUNTING. The Government Operations Committee ordered reported H. R. 11526, to improve governmental budgeting and accounting methods and procedures. p. D778
5. PERSONNEL. The Government Operations Committee ordered reported H. R. 11515, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the U. S. and Alaska. p.D778
6. RECLAMATION. Received the new conference report, subsequent to an order to recommit, on S. 1622, to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, S. Dak., of the Missouri River Basin project (H. Rept. 2677). p. 11179
7. ATOMIC ENERGY. The Joint Committee on Atomic Energy ordered reported the following bills: p. D778  
H. R. 9743 and S. 2643, to encourage maximum development of atomic energy reactors for the generation of low-cost electric power and the production, utilization, and treatment of special nuclear and other materials.  
S. 4203, to amend the Atomic Energy Act of 1954 "(so-called AEC omnibus bill)".

SENATE

8. WHEAT. By a vote of 85 to 2, agreed to a resolution of ratification on the International Wheat Agreement of 1956, extending the Agreement for 3 years. The Agreement covers 303 million bushels of wheat, as compared to 395 million covered in the 1953 Agreement; sets the price range of wheat at \$1.50 to \$2.00 a bushel, as compared with \$1.55 and \$2.05 in the 1953 agreement; and adds two new exporting countries - Argentina and Sweden. p. 11102
9. AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: pp. 11090, 11091  
H. R. 7723, with amendment, to authorize the Secretary of Agriculture to convey certain lands in Phelps Co., Mo., to the Chamber of Commerce of Rolla, Mo. (S. Rept. 2513);  
S. 4059, without amendment, to provide for price reporting and research with respect to forest products (S. Rept. 2510);  
H. R. 5337, without amendment, to broaden the provisions of law relating to practices in the marketing of perishable agricultural commodities (S. Rept. 2507);  
H. R. 9333, without amendment, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases (S. Rept. 2506);  
H. R. 9339, without amendment, authorizing the exchange of certain U. S. lands in Union County, Ga., for lands in the Chattahoochee National Forest (S. Rept. 2508);  
H. R. 11873, without amendment, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days (S. Rept. 2509);  
S. 3429, with amendment, to improve and simplify the credit facilities available to farmers and to amend the Bankhead-Jones Farm Tenant Act (S. Rept. 2526);  
S. 2216, with amendment, to amend the act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses (S. Rept. 2511);



## TERM PERMITS TO USE FOREST LANDS

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JULY 18, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the following

### R E P O R T

[To accompany S. 2216]

The Committee on Agriculture, to whom was referred the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to bring up to date the law relating to special use of national forest lands. The present law was enacted in 1915 and has not been substantially modified since that time, although the requirements of commerce, industry, recreation, and public use of space in the national forests has substantially changed.

With the exception of the final sentence, the bill is identical with the bill, H. R. 2762 of the 83d Congress which was passed by the House but not acted upon in the Senate.

Following is the text of the Senate report:

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill would (1) increase to 80 acres (from 5 acres) the maximum area of national forest lands for which term permits may be granted for hotels, resorts, and other facilities for recreation or public convenience under the act of March 4, 1915 (16 U. S. C. 497), and (2) authorize similar term permits for facilities for public safety, facilities for industrial or commercial uses related to or consistent with other national forest uses, and facilities to be used by public or nonprofit agencies for education or public use. The authority under

the act for term permits not exceeding 5 acres for summer homes and stores would remain substantially unchanged.

The Department of Agriculture now has adequate authority to issue revocable permits for all purposes under the act of June 4, 1897 (16 U. S. C. 551). Its authority to issue term permits, and the extent to which such authority would be broadened by S. 2216, are shown below:

| Purpose of permit                                                                                                                                   | Existing limitation on authority to issue term permits                                           | Limitation under S. 2216                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 1. Hotels, resorts, and other facilities for recreation or public convenience (extended by S. 2216 to public safety).                               | 5 acres to any 1 person or association for 30 years. <sup>1</sup>                                | 80 acres for 30 years.                                                                     |
| 2. Summer homes and stores.....                                                                                                                     | 5 acres to any 1 person or association for 30 years.                                             | 5 acres for 30 years.                                                                      |
| 3. Facilities for industrial or commercial purposes (other than hotels, resorts, or stores) related to or consistent with other uses of the forest. | No term permit authority. <sup>2</sup>                                                           | 80 acres for 30 years.                                                                     |
| 4. Use by public agencies for public facilities (S. 2216 also covers non-profit agencies and nonpublic education). <sup>3</sup>                     | Any area for 30 years for a fair consideration (under Public Law 771, 83d Cong., 68 Stat. 1146). | 80 acres for 30 years without consideration (in addition to authority under existing law). |
| 5. Any use of Government administered structures and improvements and land connected therewith.                                                     | 30-year permits (under sec. 7 of the Granger-Thye Act, 16 U. S. C. 580d).                        | No change from existing law.                                                               |
| 6. Any of the following uses in Alaska: residence, recreation, public convenience, education, industry, agriculture, and commerce.                  | 80 acres for 30 years (under the act of Mar. 30, 1948, 48 U. S. C. 341).                         | Do.                                                                                        |

<sup>1</sup> Unlimited authority for sanatoriums and hotels near mineral springs (16 U. S. C. 495) would not be affected.

<sup>2</sup> Specific authority for 10-year grazing permits (16 U. S. C. 580), 50-year grants of easements for rights-of-way for electric transmission and communication lines (16 U. S. C. 523), and grants for other types of rights-of-way (43 U. S. C. 934, 525, 946, and 951; 16 U. S. C. 524) would not be affected.

<sup>3</sup> The act of June 4, 1897 (16 U. S. C. 479), which permits the settlers in or near national forests to occupy up to 2 acres for each schoolhouse and 1 acre for each church for school and church purposes, would not be affected.

Enactment of this bill will tend to increase rather than decrease State tax rolls and receipts since the interest of the permittee would be subject to State taxing authority. In addition 25 percent of the fees charged for permits are paid to the States, as provided in title 16, United States Code, section 500.

The committee amendment would prohibit use of the authority provided by the act in such manner as to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests.

#### DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,  
Washington, D. C., August 5, 1955.

HON. ALLEN J. ELLENDER,  
Chairman, Committee on Agriculture and Forestry,  
United States Senate.

DEAR SENATOR ELLENDER: Reference is made to your request of June 15 for a report on S. 2216, a bill to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

The purpose of this bill is to facilitate and simplify some of this Department's problems relating to the issuance of permits for use of national-forest lands.

We recommend enactment of S. 2216.

S. 2216 is identical to H. R. 2762 as passed by the House in the 83d Congress. It would authorize the Secretary of Agriculture, under such regulations as he may make and upon such terms and conditions as he may deem proper, to permit the use and occupancy of not to exceed 80 acres of national-forest land for periods not exceeding 30 years, for the following purposes: (1) Constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (2) constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (3) construction or maintenance, by any State, political subdivision thereof, or any public or nonprofit agency, of buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. This bill would also authorize the Secretary to permit the use and occupancy of not to exceed 5 acres of national-forest land, for periods not exceeding 30 years, for the construction or maintenance of summer homes and stores.

Under existing laws this Department has adequate authority to issue revocable permits for uses for which long-term tenure is unnecessary or undesirable. Also, the authority to issue leases and term permits is adequate for communication and television purposes, for the use of Government-owned structures, for permits and leases to States, political subdivisions thereof and public agencies for public purposes, and for all types of uses in Alaska.

The act of March 4, 1915, however, is inadequate to meet other needs for term permits on the national forests because it limits use and occupancy to summer homes, hotels, stores, or other structures needed for recreation or public convenience, and the permit area to a maximum of 5 acres. It is frequently found that term permits would be desirable for uses not specified in the act of March 4, 1915, and permittees often need more than 5 acres for their authorized operations.

S. 2216 would meet needs to grant term permits up to 80 acres for such public and semipublic uses as landing fields, resorts, campgrounds, picnic areas, organization camps and ski lifts, and to industrial and commercial enterprises such as sawmills, mining camps, wharves, and warehouses, which would contribute to the general welfare and which could be located so as not to interfere with the proper utilization of national-forest resources. In numerous instances individuals cannot finance prospective commercial ventures on national forest lands because banks and commercial credit companies are unwilling to make loans to applicants who cannot obtain term permits or leases.

The act of September 3, 1954 (68 Stat. 1146) provides somewhat similar, but in some respects more restrictive,



authority to issue term permits to States, counties, and other public agencies for public buildings and other public works. That act and S. 2216 are the same as to length of permit but differ as to acreage allowances, the kind of lessees which would be eligible, requirements for consideration and land to which the authority would apply.

The passage of this bill would not require additional appropriations. Receipts from national forests would be somewhat increased since leases could be issued for developments which are not undertaken now because of the insecurity of a revocable permit.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

#### ACT OF MARCH 4, 1915

\* \* \* \* \*

【The Secretary of Agriculture may, upon such terms as he may deem proper, for periods not exceeding thirty years, permit responsible persons or associations to use and occupy suitable spaces or portions of ground in the national forest for the construction of summer homes, hotels, stores, or other structures needed for recreation or public convenience, not exceeding five acres to any one person or association, but this shall not be construed to interfere with the right to enter homesteads upon agricultural lands in national forests as provided by law.】 *The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding five acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or non-profit agency, to use and occupy suitable areas of land within the nationa*



*forests not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests.*





Calendar No. 2548

84TH CONGRESS  
2D SESSION

# S. 2216

[Report No. 2511]

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## IN THE SENATE OF THE UNITED STATES

JUNE 14, 1955

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JULY 11, 1956

Reported by Mr. ELLENDER, with an amendment

[Insert the part printed in *italic*]

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## A BILL

To amend the Act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the last paragraph under the heading "FOREST SERV-  
4       ICE" in the Act of March 4, 1915 (38 Stat. 1086, 1101;  
5       16 U. S. C. 497), is amended to read as follows:

6       "The Secretary of Agriculture is authorized, under such  
7       regulations as he may make and upon such terms and con-  
8       ditions as he may deem proper, (a) to permit the use  
9       and occupancy of suitable areas of land within the national  
10      forests, not exceeding eighty acres and for periods not  
11      exceeding thirty years, for the purpose of constructing or

1 maintaining hotels, resorts, and any other structures or fa-  
2 cilities necessary or desirable for recreation, public conveni-  
3 ence, or safety; (b) to permit the use and occupancy of  
4 suitable areas of land within the national forests, not exceed-  
5 ing five acres and for periods not exceeding thirty years, for  
6 the purpose of constructing or maintaining summer homes  
7 and stores; (c) to permit the use and occupancy of suitable  
8 areas of land within the national forest, not exceeding eighty  
9 acres and for periods not exceeding thirty years, for the pur-  
10 pose of constructing or maintaining buildings, structures, and  
11 facilities for industrial or commercial purposes whenever such  
12 use is related to or consistent with other uses on the national  
13 forests; (d) to permit any State or political subdivision  
14 thereof, or any public or nonprofit agency, to use and occupy  
15 suitable areas of land within the national forests not exceed-  
16 ing eighty acres and for periods not exceeding thirty years,  
17 for the purpose of constructing or maintaining any buildings,  
18 structures, or facilities necessary or desirable for education  
19 or for any public use or in connection with any public  
20 activity. *The authority provided by this paragraph shall be*  
21 *exercised in such manner as not to preclude the general public*  
22 *from full enjoyment of the natural, scenic, recreational, and*  
23 *other aspects of the national forests."*





[Report No. 2511]

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# A BILL

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To amend the Act of March 4, 1915 (38 Stat.  
1086, 1101; 16 U. S. C. 497).

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By Mr. ELLENDER

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JUNE 14, 1955

Read twice and referred to the Committee on  
Agriculture and Forestry

JULY 11, 1956

Reported with an amendment





July 16, 1956

World Trade Fair to be held in New York from April 14-27, 1957. p. 11726

14. MILK IMPORTS. Passed as reported H. R. 609, to extend the provisions of the Federal Import Milk Act to Alaska, Hawaii, and Puerto Rico. p. 11728
15. FOOD AND DRUG. Passed as reported H. R. 9547, to amend and simplify certain procedures in hearings relative to the administration of the Federal Food, Drug, and Cosmetic Act. p. 11739
16. FLOOD CONTROL. Passed without amendment S. 1358, to authorize modifications of the flood-control project for the Missouri River Agricultural Levee Unit 513-512-R, Richardson County, Neb. p. 11743  
Received from the Budget Bureau a letter transmitting certain plans for works of improvement pursuant to Sec. 5 of the Watershed Protection and Flood Prevention Act; to the Agriculture Committee. p. 11795
17. WATER SUPPLY. Passed over, at the request of Rep. Dondero, S. 2374, to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from flood control and river and harbor projects. p. 11743
18. LANDS. The Interior and Insular Affairs Committee ordered reported H. R. 12185, to provide that withdrawals or reservations of more than 5,000 acres of public lands of the U. S. for certain purposes shall not become effective until approved by act of Congress. p. D810  
Passed without amendment H. R. 11696, to authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska. p. 11728  
Passed without amendment S. 1384, to provide for the reconveyance of all mineral interests in lands acquired by the U. S. for certain reservoir projects to former owners. This bill is now ready for the President. A similar bill, H. R. 11879, was laid on the table. p. 11731
19. ATOMIC ENERGY. As reported from the Joint Committee on Atomic Energy, S. 4203 and H. R. 12215 contain the following items of particular interest to this Department: Provide that the AEC may make grants to colleges and universities for reactors, including food sterilization reactors, and provide for the transfer of administrative control over certain lands in the Santa Fe National Forest from the Forest Service to the AEC.

SENATE

20. APPROPRIATIONS. The Appropriations Committee reported with amendments: H.R. 12130, the mutual security appropriation bill for 1957 (S. Rept. 2579); and H.R. 12138, the supplemental appropriation bill for 1957 (S. Rept. 2580). p. 11597  
Passed with amendments H. R. 12138, the supplemental appropriation bill for 1957 (p. 11633). Agreed to amendments by Sen. Hayden, on behalf of the Committee, to provide 2,500,000 for eradication of the Mediterranean fruitfly (P. 11637); and by Sen. Johnson to provide \$50,000 to install an elevator in a Government building in Anderson, S. C. (P. 11638). Conferees were appointed (P. 11638). (For other items of interest see Digest 119).  
Received from the President a supplemental appropriation estimate for the fiscal year 1957 (S. Doc. 140) in the amount of \$2,500,000 for "Salaries and expenses, Agricultural Research Service" to provide additional funds to finance the Mediterranean fruitfly eradication program (see Hayden amendment above). As submitted to Congress, the language would have provided authority for the Secretary to transfer to this appropriation from other appropriations or funds available to the Department such sums as he may deem necessary for the eradication of the Mediterranean fruitfly. p. 11598



21. **WATERSHEDS.** The Public Works Committee reported with amendment H. R. 8750, to amend the Watershed Protection and Flood Prevention Act (S. Rept. 2585). p. 11598
22. **VETERANS; FARM LOANS.** Passed as reported H. R. 9260, to extend the provisions of title III of the Servicemen's Readjustment Act of 1944 for 1 year until July 25, 1958. p. 11618
23. **FORESTRY.** Passed without amendment H. R. 9339, to authorize the exchange of certain lands of the U. S. in Union Co., Ga., for lands within the Chattahoochee National Forest, Ga. This bill is now ready for the President. p. 11619  
Passed as reported S. 2216, to amend the act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses. p. 11619  
Passed as reported S. 3133, to provide for the transfer of a Forest Service lot and building to the city of Boise, Idaho. p. 11619  
Agreed to the conference report on H. R. 6376, to provide for the hospitalization and care of the mentally ill in Alaska, including a grant of not to exceed 1 million acres of public lands (includes lands eliminated from the national forests). p. 11640  
Passed without amendment H. R. 9451, to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for these Indians (these lands were formerly USDA submarginal lands transferred to Interior). This bill will now be sent to the President. p. 11625  
The Interior and Insular Affairs Committee reported with amendment S. 3787 relating to the management of the Red Lake Indian Forest and sawmill (S. Rept. 2584). p. 11598  
Passed over at the request of Sen. Purtell S. 4059, providing for a forest products price reporting and research program. p. 11619
24. **PROPERTY; LANDS.** Passed with amendment H. R. 7723, to authorize the Secretary of Agriculture to convey certain lands in Phillips Co., Mo., to the Chamber of Commerce of Rolla, Mo. p. 11620  
Passed without amendment S. 4058, to authorize the Secretary of Agriculture to extend and renew to the Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the Livestock Experiment Station in Mont. p. 11631  
Passed with amendment H. R. 5712, to transfer certain title III Bankhead-Jones lands to the Indians of the Zia and Jemez pueblos in N. Mex. S. 1907, a similar bill was indefinitely postponed. p. 11638
25. **INFORMATION.** Passed without amendment H. R. 10368, to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions. This bill will now be sent to the President. p. 11625
26. **FOOD; POSTAL RATES.** Passed as reported S. 3500, to reduce postage rates on parcels pertaining only to food, clothing, medicines, or drugs sent abroad by mail for relief purposes. p. 11625  
Passed without amendment S. 3619, to provide for reimbursing the District of Columbia for food served under the National School Lunch Act. p. 11628



Webb, United States Air Forces, who was killed in action during World War II: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ANTHONY J. VARCA, JR.

The bill (H. R. 1403) for the relief of Anthony J. Varca, Jr., was considered, ordered to a third reading, read the third time, and passed.

#### CABRILLO LAND CO., OF SAN DIEGO, CALIF.

The bill (H. R. 1535) for the relief of the Cabrillo Land Co., of San Diego, Calif., was considered, ordered to a third reading, read the third time, and passed.

#### CHARLES A. BARRON

The bill (H. R. 3733) for the relief of Charles A. Barron was considered, ordered to a third reading, read the third time, and passed.

#### ONIE HACK

The bill (H. R. 3987) for the relief of Onie Hack was considered, ordered to a third reading, read the third time, and passed.

#### CPL. OSCAR H. MASH, JR.

The bill (H. R. 4456) for the relief of Cpl. Oscar H. Mash, Jr., was considered, ordered to a third reading, read the third time, and passed.

#### GERTRUDE I. KEEP

The bill (H. R. 5868) for the relief of Gertrude I. Keep was considered, ordered to a third reading, read the third time, and passed.

#### SAUL LEHMAN

The bill (H. R. 9106) for the relief of Saul Lehman was considered, ordered to a third reading, read the third time, and passed.

#### JESS GARY

The bill (H. R. 10011) for the relief of Jess Gary was considered, ordered to a third reading, read the third time, and passed.

#### A. O. NIESSEN AND DON NIESSEN

The bill (H. R. 10199) for the relief of A. O. Niessen and Don Niessen was considered, ordered to a third reading, read the third time, and passed.

#### M. SGT. HAROLD LEROY ALLEN

The bill (H. R. 11530), for the relief of M. Sgt. Harold LeRoy Allen, was considered, ordered to a third reading, read the third time, and passed.

#### ROY CLICK

The Senate proceeded to consider the bill (H. R. 10010) for the relief of Roy Click which had been reported from the Committee on the Judiciary with amendments on page 1, line 8, after the word "such", to strike out "sum" and insert "sums"; in line 9, after the name "Roy," to strike out "Click," and insert "Click"; on page 2, line 1, after the word "by", to strike out "him" and insert "them"; in line 3, after the word "Such", to strike out "sum represents" and insert "sums represent"; in line 4, after the name "Roy", to strike out "Click," and insert "Click"; and in line 7, after the word "to", to strike out "him" and insert "them."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act for the relief of Roy Click and Charlie Gardener Ford."

#### CAMILLUS BOTHWELL JETER

The bill (H. R. 11346) for the relief of Camillus Bothwell Jeter was considered, ordered to a third reading, read the third time, and passed.

#### EXCHANGE OF CERTAIN LANDS IN GEORGIA

The bill (H. R. 9339) to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee, National Forest, Ga., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (S. 4059) providing for price reporting and research with respect to forest products was announced as next in order.

THE PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over, by request.

THE PRESIDING OFFICER. The bill will be passed over.

#### TERM PERMITS TO USE FOREST LANDS

The Senate proceeded to consider the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101, 16 U. S. C. 497), which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 20, after the word "activity", to insert "The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full

enjoyment of the natural, scenic, recreational, and other aspects of the national forests.", so as to make the bill read:

*Be it enacted, etc.*, That the last paragraph under the heading "Forest Service" in the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), is amended to read as follows:

"The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 5 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or nonprofit agency, to use and occupy suitable areas of land within the national forests not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF BOISE, IDAHO

The Senate proceeded to consider the bill (S. 3133) to provide for the conveyance of certain real property of the United States to the city of Boise, Idaho.

Mr. MORSE. Mr. President, in reference to Calendar No. 2549, S. 3133, to provide for the conveyance of certain real property of the United States to the city of Boise, Idaho, the bill provides in line 3:

That the Secretary of Agriculture is authorized to sell and convey to the city of Boise, Idaho, at market value as determined by him all the right, title, and interest of the United States in and to the real property.

There is no violation of the Morse formula, and I have no objection to the bill.

THE PRESIDING OFFICER. The amendments of the committee will be stated.

The amendments of the Committee on Agriculture and Forestry were, on page 1, line 3, after the word "Agriculture", to strike out "shall" and insert "is authorized to sell and"; in line 4, after the word "Idaho", to insert "at market value as determined by him"; in line 9, after



the word "meridian", to insert a colon and "Provided, That the funds received for said property shall be available to the Secretary of Agriculture for the purpose of providing in the city of Boise through purchase and/or construction office space and appurtenant facilities for use by the Forest Service in lieu of such facilities now afforded by the property herein authorized to be conveyed: *Provided further, That as a condition of such conveyance the Secretary may in his discretion reserve to the United States for a period of 2 years from the date of the deed by the United States the right to use and occupy the premises herein authorized to be conveyed.*"; and on page 2, after line 8, to strike out:

SEC. 2. The land conveyed pursuant to the provisions of this act shall be used only for public purposes and the conveyance herein authorized shall be made upon the express condition that if the land shall be used for other purposes, the conveyance shall be held to be forfeited and the title shall revert to the United States. The provisions of this section, however, shall cease to be in effect 25 years after the date of conveyance to the city, so as to make the bill read:

*Be it enacted, etc., That the Secretary of Agriculture is authorized to sell and convey to the city of Boise, Idaho, at market value as determined by him all the right, title, and interest of the United States in and to the real property located in the city of Boise, Idaho, more particularly described as block 35 of the Boise City original townsite, section 10, township 3 north, range 2 east, Boise meridian: Provided, That the funds received for said property shall be available to the Secretary of Agriculture for the purpose of providing in the city of Boise through purchase and/or construction office space and appurtenant facilities for use by the Forest Service in lieu of such facilities now afforded by the property herein authorized to be conveyed: Provided further, That as a condition of such conveyance the Secretary may in his discretion reserve to the United States for a period of 2 years from the date of the deed by the United States the right to use and occupy the premises herein authorized to be conveyed.*

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CONVEYANCE OF CERTAIN LANDS TO THE CHAMBER OF COMMERCE OF ROLLA, MO.

The Senate proceeded to consider the bill (H. R. 7723) to authorize the Secretary of Agriculture to convey certain lands in Philips County, Mo., to the Chamber of Commerce of Rolla, Mo., which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. MORSE. Mr. President, I have no objection to House bill 7723, a bill to authorize the Secretary of Agriculture to convey certain lands in Philips County, Mo., to the Chamber of Commerce of Rolla, Mo. This bill deals with a piece of property donated to the Federal Government in the first place for certain Federal use. It is in excess of that use. The policy is very clear that when such property is in excess of the use for which

it is intended it can revert to the State concerned.

Moreover, in this particular case, a portion of the property is to be used for National Guard purposes, namely, the building of a National Guard armory. That use falls within the line of precedents. If the land is proposed to be used for National Guard purposes, the Federal Government has an interest in the property.

The bill is sound, under the Morse formula, for two reasons. First, the land conveyed is in excess of the original need. The land was donated for a specific purpose, and all the property is no longer needed for that purpose. Second, the national defense interest is involved.

Mr. BIBLE. Mr. President, as I understand, the Senator is referring to House bill 7723.

Mr. MORSE. That is correct.

Mr. BIBLE. And the Senator has no objection?

Mr. MORSE. I have no objection, but in fairness to my colleagues they ought to have an explanation, because I am constantly being asked, "Why did you object to this one and not to that one?" Since 1946 my course of action has been perfectly consistent in connection with the application of the so-called Morse formula.

The PRESIDING OFFICER. The amendment will be stated.

The amendment of the Committee on Agriculture and Forestry was on page 2, after line 4, to insert:

SEC. 2. The conveyance authorized by this act shall provide that in the event that the lands cease to be used for public purposes all right, title, and interest therein shall immediately revert to and revert in the United States.

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I send a brief statement to the desk and ask that it be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

#### EXPLANATION OF H. R. 7723

This bill provides for conveyance of a 5-acre tract to the Chamber of Commerce of Rolla, Mo. This 5-acre tract was part of a larger tract donated by the Chamber to the Government in 1939. It is not needed by the Government and would be used by the Chamber for a National Guard Army site and for a city park. The committee amendment would require the land to be devoted to public purposes.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILLS PASSED OVER

The bill (H. R. 11611) to provide for the establishment of the Pea Ridge National Military Park in the State of Arkansas, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 766) to provide for the establishment of Horseshoe Bend National Military Park, in the State of Alabama, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

#### TERMINATION OF SUPERVISION OVER THE PROPERTY OF THE OTTAWA TRIBE OF INDIANS

The bill (S. 3970) to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of the Ottawa Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.*

SEC. 2. (a) The Secretary of the Interior is authorized and directed to transfer within 3 years after the date of this act to each member of the Ottawa Tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the Ottawa Tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may:

(1) Upon request of any of the owners made within 2 years after the date of this act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 3 years from the date of this act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and*

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safe-keeping.







July 17, 1956

15. DAIRYING; POSTAL RATES. Sen. Wiley inserted correspondence from the dairy industry opposing increases in postal rates. p. 11800

16. LEGISLATIVE PROGRAM. Sen. Johnson announced that the Hells Canyon dam bill, Mutual Security appropriation bill, and executive pay bill will probably be considered this week; that there will be night sessions this week, and possibly a session on Sat., July 21; and that it is hoped that the business of this session can be concluded some time next week. pp. 11804, 11920

HOUSE

17. THE AGRICULTURE COMMITTEE ordered reported the following bills: p. D819

S. 2246, to authorize the sale of certain lands to the city of Wells, S. Dak.

S. 1089, to authorize the Secretary of Agriculture to sell at not less than the appraised value, and under such terms and conditions as he deems appropriate, lands in the national forests which are isolated parcels or narrow projecting strips, when he finds such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or other private purposes than to national forest purposes.

S. 4058, to extend for 10 years the lease of a tract of research station land to the Chicago, Milwaukee, St. Paul and Pacific Railroad Co.

S. 2216, to amend the Act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses.

H. R. 5275, to authorize FCIC to provide reinsurance on any crop or plantation insurance provided in Puerto Rico by a duly-authorized agency of the Commonwealth of Puerto Rico.

H. R. 11958, to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest.

18. MILITARY CONSTRUCTION; SURPLUS COMMODITIES. Passed without amendment H. R. 12270, to authorize certain construction at military installations. The bill authorizes the Secretary of Defense to use for family housing in foreign countries, foreign currencies not to exceed \$250 million acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954, or through other commodity transactions of the GCC. p. 11924 (This bill supersedes H. R. 9893, the military construction bill, which was vetoed by the President.)

19. FORESTRY. Received the conference report on H. R. 6376, to provide for the hospitalization and care of the mentally ill in Alaska, including a grant of not to exceed one million acres of public lands (includes lands eliminated from the national forests) (H. Rept. 2735). p. 11934

Rep. Dixon spoke in support of H. R. 8898, to authorize the purchase of additional lands in the Cache National Forest, Utah. p. 12021

20. ATOMIC ENERGY. Rep. Holifield urged that increased effort be made to develop peaceful uses of atomic energy in the creation of low-cost electric power facilities. p. 12016

The Rules Committee reported resolutions for the consideration of the following bills: P. 12028



H.R. 9743, to encourage maximum development of atomic energy reactors for the generation of low-cost electric power and the production, utilization, and treatment of special nuclear and other materials.

H.R. 12050, to amend the Atomic Energy Act of 1954, so as to provide Federal reinsurance on certain atomic energy reactors.

21. ELECTRIFICATION. Rep. Johnson, Wis., supported the construction of a Federally owned high dam at Hells Canyon, and inserted a newspaper column relative to this subject. p. 12021

The Interior and Insular Affairs Committee ordered reported S. 3338, regarding rates charged to public bodies and cooperatives for electric power generated at Federal projects. p. D819

22. TRANSPORTATION. Rep. Dixon spoke in support of S. 898, the trip-leasing bill, as being "absolutely essential to the efficient marketing of agricultural commodities." p. 12025

23. FARM LABOR. The Interstate and Foreign Commerce Committee ordered reported S. 3391, to provide for reasonable requirements regarding comfort, safety, etc., of the interstate transportation of migrant farm workers. p. D820

24. LANDS. The Interior and Insular Affairs Committee reported without amendment S. 3458, to grant leave of absence to homestead entrants and to permit suspension of cultivation and improvement operations on homestead and desert land entries (H. Rept. 2737). p. 12028

The Agriculture Committee reported without amendment S. 2572, to authorize the interchange of lands between this Department and the military departments of the Defense Department (H. Rept. 2747). p. 12028

25. RUBBER. The Armed Services Committee reported without amendment S. 3832, to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, O. (H. Rept. 2741). p. 12028

26. PERSONNEL. The Government Operations Committee reported with amendment H.R. 11515, to provide for the payment of travel and transportation costs for persons selected for appointment to certain Federal positions in the U. S. and Alaska (H. Rept. 2742). p. 12028

27. FLOOD INSURANCE. The Banking and Currency Committee reported with amendment S. 3732, to provide insurance against flood damages (H. Rept. 2746). p. 12028 (For a summary of the provisions of this bill as reported in the Senate, see Digest No. 72.)

28. GRAIN STANDARDS. The Agriculture Committee reported without amendment S. 1400, to protect the integrity of grade certificates under the U. S. Grain Standards Act by providing penalties for persons who knowingly sample grain improperly and for persons who knowingly load or otherwise handle grain deceptively for inspection under the Act (H. Rept. 2748). p. 12028

29. BANKING. The Rules Committee reported a resolution for the consideration of H. R. 11261, to extend, until June 30, 1963, the Export-Import Bank Act of 1945. p. 12028.

30. LABOR STANDARDS. The Rules Committee reported a resolution for the consideration of H. R. 11799, to amend the Fair Labor Standards Act of 1938 relative to minimum wages under Federal construction contracts in Samoa, Wake, and Guam Islands. p. 12028

84TH CONGRESS  
2D SESSION

# S. 2216

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IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1956

Referred to the Committee on Agriculture

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## AN ACT

To amend the Act of March 4, 1915 (38 Stat. 1086, 1101;  
16 U. S. C. 497).

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the last paragraph under the heading "FOREST SERV-  
4       ICE" in the Act of March 4, 1915 (38 Stat. 1086, 1101;  
5       16 U. S. C. 497), is amended to read as follows:

6       "The Secretary of Agriculture is authorized, under such  
7       regulations as he may make and upon such terms and con-  
8       ditions as he may deem proper, (a) to permit the use  
9       and occupancy of suitable areas of land within the national  
10      forests, not exceeding eighty acres and for periods not  
11      exceeding thirty years, for the purpose of constructing or

1 maintaining hotels, resorts, and any other structures or fa-  
2 cilities necessary or desirable for recreation, public conveni-  
3 ence, or safety; (b) to permit the use and occupancy of  
4 suitable areas of land within the national forests, not exceed-  
5 ing five acres and for periods not exceeding thirty years, for  
6 the purpose of constructing or maintaining summer homes  
7 and stores; (c) to permit the use and occupancy of suitable  
8 areas of land within the national forest, not exceeding eighty  
9 acres and for periods not exceeding thirty years, for the pur-  
10 pose of constructing or maintaining buildings, structures, and  
11 facilities for industrial or commercial purposes whenever such  
12 use is related to or consistent with other uses on the national  
13 forests; (d) to permit any State or political subdivision  
14 thereof, or any public or nonprofit agency, to use and occupy  
15 suitable areas of land within the national forests not exceed-  
16 ing eighty acres and for periods not exceeding thirty years,  
17 for the purpose of constructing or maintaining any buildings,  
18 structures, or facilities necessary or desirable for education  
19 or for any public use or in connection with any public  
20 activity. The authority provided by this paragraph shall be  
21 exercised in such manner as not to preclude the general public

- 1 from full enjoyment of the natural, scenic, recreational, and
- 2 other aspects of the national forests.”

Passed the Senate July 16, 1956.

Attest:

FELTON M. JOHNSTON,

*Secretary.*



AN ACT

To amend the Act of March 4, 1915 (38 Stat.  
1086, 1101; 16 U. S. C. 497).

JULY 17, 1956

Referred to the Committee on Agriculture





July 18, 1956

14. ELECTRIFICATION. Began debate on S. 1333, providing for the construction, operation, and maintenance of the Hells Canyon Dam (p. 12216). Several Senators discussed and inserted material relative to the construction of the dam (pp. 12053, 12123, 12131, 12132, and 12197).
15. ATOMIC ENERGY. Passed without amendment S. 4203, to amend the Atomic Energy Act of 1954. p. 12062
16. FOREIGN TRADE. Passed with amendments H. R. 6040, to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws. Conferees were appointed. pp. 12062, 12064, 12097, 12101
17. HOOVER COMMISSION. Sen. Kennedy commended the progress made by the Government Operations Committee in clearing legislation for implement<sup>ing</sup> the reports of the Hoover Commission, inserted a list of bills upon which action had been taken, and expressed hope other reports would be acted on during the next session of Congress. p. 12099
18. COTTON. Passed with amendment S. Res. 236, urging immediate consideration of the impact of imports of textiles and other products upon the domestic market and directing the Tariff Commission to expedite escape clause investigations and to give them priority wherever practicable. As agreed to the Resolution provides that it is the sense of the Senate that the President should give immediate consideration to the impact of imports of textiles and textile products on the cotton industry, with a view to determining whether the authority granted to him under section 22 of the Agricultural Adjustment Act, as amended, section 204 of the Agricultural Act of 1956, the Trade Agreements Extension Act of 1951, as amended, section 350 of the Tariff Act of 1930, as amended, or other law, should be exercised with respect to imports of any textiles or textile products. pp. 12110, 12121
19. LEGISLATIVE PROGRAM. Sen. Johnson announced that the watershed bill and the executive pay bill will be taken up as soon as possible. p. 12063
20. APPROPRIATIONS. Agreed to limitation of debate on the mutual security appropriation bill when it comes up for consideration, possibly this week. p. 12096
21. AREA ASSISTANCE. S. 2663, as reported (see Digest 118), to establish a program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, provides for establishment of an Area Redevelopment Administration within the executive branch under an Administrator; the establishment of a Government Advisory Committee on Area Redevelopment composed of certain heads of departments and agencies, including the Secretary of Agriculture; the appointment of a National Public Advisory Committee on Area Redevelopment composed of representatives of labor, management, agriculture, and the general public; the designation by the Administrator of "industrial redevelopment areas" and "rural redevelopment areas" in accordance with certain criteria; the conduct of special studies by the USDA upon request of the Administrator; and the issuance by the Administrator, with the approval of the President, of notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed \$225,000,000 to obtain funds for loans in carrying out redevelopment activities provided for in the bill. The committee report discusses the need for further development of underdeveloped rural areas and reviews the progress of this Department in this general area of activity.



HOUSE

22. FOREIGN TRADE. Passed with amendment S. 3903, to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase from \$1,500,000,000 to \$3,000,000,000 the amount for purposes of title I of the Act. The amendment to S. 3903 consisted of the insertion of the language of H. R. 11708, a similar bill, as amended and passed by the House. A provision of H. R. 11708 to authorize assistance to American-sponsored schools abroad was deleted by a point of order against it raised by Rep. Curtis, and a provision to authorize certain barter arrangements with communist-dominated countries was nullified by an amendment by Rep. Dodd prohibiting such barter arrangements by a vote of 92 to 62. The House also adopted amendments to provide that commodities disposed of under the Act must be in addition to sales of such commodities through normal world trade (by Rep. Whitten); to provide that fresh and frozen fruit be exempt from the provisions of cargo preference laws (by Reps. Mathews and Roosevelt); and to provide that the CCC shall make available to the President, for certain relief purposes, food in storage when certain urgent or extraordinary conditions exist (by Rep. Cooley). The bill, H. R. 11708, as amended, passed by a vote of 389 to 6. p. 12147
23. COMMODITY CREDIT CORPORATION. Received the conference report on S. 3820, to increase the borrowing authority of the CCC from \$12 billion to \$14.5 billion, make it a Federal offense to willfully steal or convert property mortgaged to a lending agency under a CCC program, and provide that offenses under the Act involving amounts of \$500 or less be reduced from a felony to a misdemeanor (H. Rept. 2772). p. 12174
24. AGRICULTURE COMMITTEE Reported the following bills: p. 12195
- S. 1079, with amendment, to authorize the Secretary of Agriculture to sell at not less than the appraised value, and under such terms and conditions as he deems appropriate, lands in the national forests which are isolated parcels or narrow projecting strips, when he finds such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or private purposes other than to national forest purposes (H. Rept. 2791).
- S. 2216, without amendment, to amend the Act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses (H. Rept. 2792).
- H. R. 5275, with amendment, to authorize FCIC to provide reinsurance on any crop or plantation insurance provided in Puerto Rico by a duly-authorized agency of the Commonwealth of Puerto Rico (H. Rept. 2794).
- H. R. 11958, without amendment, to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of certain drought damaged acreage up to 30 days prior to harvest (H. Rept. 2795).
25. PERSONNEL. The Post Office and Civil Service Committee ordered reported (but did not actually report) S. 2875, to revise the Civil Service Retirement Act. The "Daily Digest" states that "as amended the major provisions of the House Committee approved bill are: 1. maintain employee deductions at 6 percent and increase Members of Congress deductions to 7 percent; 2. provide annuity formula of 1 percent plus \$30 or 1 3/4 percent, whichever is the greater; 3. right to elect a survivorship annuity with the employee's annuity being reduced 3 percent on the first \$2,400 and 10 percent in excess of \$2,400; 4. retain the present right to retire at age 55 with 30 years of service;

## TERM PERMITS TO USE FOREST LANDS

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JULY 11, 1956.—Ordered to be printed

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Mr. ELLENDER, from the Committee on Agriculture and Forestry,  
submitted the following

## R E P O R T

[To accompany S. 2216]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill would (1) increase to 80 acres (from 5 acres) the maximum area of national forest lands for which term permits may be granted for hotels, resorts, and other facilities for recreation or public convenience under the act of March 4, 1915 (16 U. S. C. 497), and (2) authorize similar term permits for facilities for public safety, facilities for industrial or commercial uses related to or consistent with other national forest uses, and facilities to be used by public or nonprofit agencies for education or public use. The authority under the act for term permits not exceeding 5 acres for summer homes and stores would remain substantially unchanged.

The Department of Agriculture now has adequate authority to issue revocable permits for all purposes under the act of June 4, 1897 (16 U. S. C. 551). Its authority to issue term permits, and the extent to which such authority would be broadened by S. 2216, are shown below:



| Purpose of permit                                                                                                                                   | Existing limitation on authority to issue term permits                                           | Limitation under S. 2216                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 1. Hotels, resorts, and other facilities for recreation or public convenience (extended by S. 2216 to public safety).                               | 5 acres to any 1 person or association for 30 years. <sup>1</sup>                                | 80 acres for 30 years.                                                                     |
| 2. Summer homes and stores-----                                                                                                                     | 5 acres to any 1 person or association for 30 years.                                             | 5 acres for 30 years.                                                                      |
| 3. Facilities for industrial or commercial purposes (other than hotels, resorts, or stores) related to or consistent with other uses of the forest. | No term permit authority. <sup>2</sup> -----                                                     | 80 acres for 30 years.                                                                     |
| 4. Use by public agencies for public facilities (S. 2216 also covers non-profit agencies and nonpublic education). <sup>3</sup>                     | Any area for 30 years for a fair consideration (under Public Law 771, 83d Cong., 68 Stat. 1146). | 80 acres for 30 years without consideration (in addition to authority under existing law). |
| 5. Any use of Government administered structures and improvements and land connected therewith.                                                     | 30 year permits (under sec. 7 of the Grauger-Thye Act, 16 U. S. C. 580d).                        | No change from existing law.                                                               |
| 6. Any of the following uses in Alaska: residence, recreation, public convenience, education, industry, agriculture, and commerce.                  | 80 acres for 30 years (under the act of Mar. 30, 1948, 48 U. S. C. 341).                         | Do.                                                                                        |

<sup>1</sup> Unlimited authority for sanatoriums and hotels near mineral springs (16 U. S. C. 495) would not be affected.

<sup>2</sup> Specific authority for 10 year grazing permits (16 U. S. C. 580), 50 year grants of easements for rights-of-way for electric transmission and communication lines (16 U. S. C. 523), and grants for other types of rights-of-way (43 U. S. C. 934, 525, 946, and 951; 16 U. S. C. 524) would not be affected.

<sup>3</sup> The act of June 4, 1897 (16 U. S. C. 479), which permits the settlers in or near national forests to occupy up to 2 acres for each schoolhouse and 1 acre for each church for school and church purposes, would not be affected.

Enactment of this bill will tend to increase rather than decrease State tax rolls and receipts since the interest of the permittee would be subject to State taxing authority. In addition 25 percent of the fees charged for permits are paid to the States, as provided in title 16, United States Code, section 500.

The committee amendment would prohibit use of the authority provided by the act in such manner as to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests.

#### DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,  
Washington, D. C., August 5, 1955.

HON. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*United States Senate.*

DEAR SENATOR ELLENDER: Reference is made to your request of June 15 for a report on S. 2216, a bill to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497). The purpose of this bill is to facilitate and simplify some of this Department's problems relating to the issuance of permits for use of national-forest lands.

We recommend enactment of S. 2216.

S. 2216 is identical to H. R. 2762 as passed by the House in the 83d Congress. It would authorize the Secretary of Agriculture, under such regulations as he may make and upon such terms and conditions as he may deem proper, to permit the use and occupancy of not to exceed 80 acres of national-forest land for periods not exceeding 30 years, for the following purposes: (1) Constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (2) construct-

ing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (3) construction or maintenance, by any State, political subdivision thereof, or any public or nonprofit agency, of buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. This bill would also authorize the Secretary to permit the use and occupancy of not to exceed 5 acres of national-forest land, for periods not exceeding 30 years, for the construction or maintenance of summer homes and stores.

Under existing laws this Department has adequate authority to issue revocable permits for uses for which long-term tenure is unnecessary or undesirable. Also, the authority to issue leases and term permits is adequate for communication and television purposes, for the use of Government-owned structures, for permits and leases to States, political subdivisions thereof and public agencies for public purposes, and for all types of uses in Alaska.

The act of March 4, 1915, however, is inadequate to meet other needs for term permits on the national forests because it limits use and occupancy to summer homes, hotels, stores, or other structures needed for recreation or public convenience, and the permit area to a maximum of 5 acres. It is frequently found that term permits would be desirable for uses not specified in the act of March 4, 1915, and permittees often need more than 5 acres for their authorized operations.

S. 2216 would meet needs to grant term permits up to 80 acres for such public and semipublic uses as landing fields, resorts, campgrounds, picnic areas, organization camps and ski lifts, and to industrial and commercial enterprises such as sawmills, mining camps, wharves, and warehouses, which would contribute to the general welfare and which could be located so as not to interfere with the proper utilization of national-forest resources. In numerous instances individuals cannot finance prospective commercial ventures on national forest lands because banks and commercial credit companies are unwilling to make loans to applicants who cannot obtain term permits or leases.

The act of September 3, 1954 (68 Stat. 1146) provides somewhat similar, but in some respects more restrictive, authority to issue term permits to States, counties, and other public agencies for public buildings and other public works. That act and S. 2216 are the same as to length of permit but differ as to acreage allowances, the kind of lessees which would be eligible, requirements for consideration and land to which the authority would apply.

The passage of this bill would not require additional appropriations. Receipts from national forests would be somewhat increased since leases could be issued for developments which are not undertaken now because of the insecurity of a revocable permit.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*



## CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

## ACT OF MARCH 4, 1915

\* \* \* \* \*

【The Secretary of Agriculture may, upon such terms as he may deem proper, for periods not exceeding thirty years, permit responsible persons or associations to use and occupy suitable spaces or portions of ground in the national forest for the construction of summer homes, hotels, stores, or other structures needed for recreation or public convenience, not exceeding five acres to any one person or association, but this shall not be construed to interfere with the right to enter homesteads upon agricultural lands in national forests as provided by law.】 *The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding five acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or non-profit agency, to use and occupy suitable areas of land within the national forests not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests.*

**S. 2216**

[Report No. 2792]

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IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1956

Referred to the Committee on Agriculture

JULY 18, 1956

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

---

**AN ACT**

To amend the Act of March 4, 1915 (38 Stat. 1086, 1101;  
16 U. S. C. 497).

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the last paragraph under the heading "FOREST SERV-  
4       ICE" in the Act of March 4, 1915 (38 Stat. 1086, 1101;  
5       16 U. S. C. 497), is amended to read as follows:

6       "The Secretary of Agriculture is authorized, under such  
7       regulations as he may make and upon such terms and con-  
8       ditions as he may deem proper, (a) to permit the use  
9       and occupancy of suitable areas of land within the national  
10      forests, not exceeding eighty acres and for periods not  
11      exceeding thirty years, for the purpose of constructing or

1 maintaining hotels, resorts, and any other structures or fa-  
2 cilities necessary or desirable for recreation, public conven-  
3 ience, or safety; (b) to permit the use and occupancy of  
4 suitable areas of land within the national forests, not exceed-  
5 ing five acres and for periods not exceeding thirty years, for  
6 the purpose of constructing or maintaining summer homes  
7 and stores; (c) to permit the use and occupancy of suitable  
8 areas of land within the national forest, not exceeding eighty  
9 acres and for periods not exceeding thirty years, for the pur-  
10 pose of constructing or maintaining buildings, structures, and  
11 facilities for industrial or commercial purposes whenever such  
12 use is related to or consistent with other uses on the national  
13 forests; (d) to permit any State or political subdivision  
14 thereof, or any public or nonprofit agency, to use and occupy  
15 suitable areas of land within the national forests not exceed-  
16 ing eighty acres and for periods not exceeding thirty years,  
17 for the purpose of constructing or maintaining any buildings,  
18 structures, or facilities necessary or desirable for education  
19 or for any public use or in connection with any public  
20 activity. The authority provided by this paragraph shall be  
21 exercised in such manner as not to preclude the general public  
22 from full enjoyment of the natural, scenic, recreational, and  
23 other aspects of the national forests.”

Passed the Senate July 16, 1956.

Attest:

FELTON M. JOHNSTON,

*Secretary.*





84<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 2216**

[Report No. 2792]

---

## **AN ACT**

---

To amend the Act of March 4, 1915 (38 Stat.  
1086, 1101; 16 U. S. C. 497).

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JULY 17, 1956

Referred to the Committee on Agriculture

JULY 18, 1956

Committed to the Committee of the Whole House on  
the State of the Union and ordered to be printed





July 23, 1956

withdrawn and the withdrawal lifted. This bill will now be sent to the President p. 12676

Passed as reported HR 4096, to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements. p. 12676

Passed without amendment S. 4059, providing for price reporting and research with respect to forest products. p. 12761

16. PROPERTY. Passed without amendment H. R. 10946, to provide for the disposition of surplus personal property to the Territorial government of Alaska until Dec. 31, 1958. This bill will now be sent to the President. p. 12676
17. SEEDS. Passed as reported H. R. 11522, to provide for the extension of certain provisions of Federal laws, including the Federal Seed Act, the Vocational Rehabilitation Act, and wildlife restoration authorities, to Guam. p. 12678
18. LANDS. Passed over, at the request of Sen. Purtell, S. 3957, to amend the act authorizing the exchange of certain farm units in order to limit the time during which applications may be made under the act. p. 12684  
Passed over, at the request of Sen. Purtell S. Res. 281, relative to the conservation and development of land and water resources. p. 12684  
Passed without amendment H. J. Res. 642, to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma Co., Miss., to the Home Demonstration Club of Rena Lara, Miss. This measure will now be sent to the President. p. 12727
19. TRANSPORTATION. Passed without amendment S. J. Res. 197, authorizing the President to proclaim the period from Oct. 22 to 27, 1956, as National Transportation Week. p. 12686
20. FARM-CITY WEEK. Passed without amendment H. J. Res. 317, designating the week of Nov. 16 to 22, 1956, as National Farm-City Week. This measure is now ready for the President. p. 12686
21. FOREIGN AFFAIRS. Sen. Mansfield discussed the foreign policy problems between the U. S. and Russia. p. 12703
22. RECLAMATION. Agreed to the conference report on S. 497, to authorize the Secretary of the Interior to construct, operate, and maintain the Waohe reclamation project, Nev. and Calif. This bill will now be sent to the President. p. 12708
23. PERSONNEL. Passed as reported S. 3725, to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended. p. 12723
24. FARM PROGRAM. Sen. Stennis discussed the "economic plight" of the farmer. p. 12727
25. EXECUTIVE PAY; RETIREMENT. The "Daily Digest" states that "Conferees met in executive session to resolve the difference between the Senate- and House-passed versions of H. R. 7619, to adjust the rates of compensation of heads of executive departments and of certain other Federal officials, but did not conclude their work and will meet again tomorrow." p. D870



26. APPROPRIATIONS. Agreed to waive the rule providing that all reports of committees lie over 1 day for consideration, in order that the second supplemental appropriation bill for 1957 may be considered when received. p. 12667
27. LEGISLATIVE PROGRAM. Sen. Johnson announced that the mutual security appropriation bill will be further considered today. p. 12762

HOUSE

28. APPROPRIATIONS. Agreed to the conference report on H. R. 12138, the supplemental appropriation bill for 1957. The House concurred in the Senate amendment providing 40,000 for the Baker National Forest ski shelter; and adopted amendments to the Senate amendments providing 16,250,000 (instead of 18,915,000) for animal disease laboratory facilities and providing that land acquisition to the Superior National Forest shall be subject to local governmental approval. p. 12763

Passed as reported H. R. 11682, to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attache program, and to facilitate the operation of the FHA, FCIC, and FS. p. 12806

29. BUDGETING; ACCOUNTING. Received the conference report on S. 3897, to improve Governmental budgeting and accounting methods and procedures. The statement of the House conferees includes the following: "The conference substitute is substantially the bill as passed by the House with the deletion of the minor amendments which the House made to H. R. 11526 as originally introduced. The provision for appropriations on an accrued expenditure basis which the House rejected remains out of the substitute.

"The substitute, as in the House-passed bill, provides for budget information on program costs and accomplishments; departmental budgeting on a cost basis; synchronization of organization structure, budget classifications and accounting systems; accounting on an accrual basis; and simplification in the subdivision of appropriations or funds.

"This legislation does not provide for a major overhaul of the Government budget and accounting systems nor does it correct all of the weaknesses that have been criticized. It does, however, provide progressive forward steps on the basis of which many improvements can be made. Due to the impending adjournment it is not likely that further action can be taken in this Congress." (H. Rept. 2872). p. 12770

30. FORESTRY. Rep. Gavin objected to the consideration of S. 1079, to authorize the Secretary of Agriculture to sell at not less than the appraised value, and under such terms and conditions as he deems appropriate, lands in the national forests which are isolated parcels or narrow projecting strips, when he finds such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or private purposes other than to national forest purposes. p. 12794

Passed without amendment S. 2216, to amend the Act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses. This bill is now ready for the President. p. 12794

31. LANDS. At the request of Rep. Aspinall (for Rep. Dempsey), passed over H. R. 8250, to require conformance with State and Territorial fish and game laws and



signing a protest of public-spirited citizens to Holland against certain intolerable conditions, it was not surprising that under English rule he retained title to the land. Bedloo is believed to have died in 1673 and the island was sold by his heirs in 1732. After this time, although still under private ownership, the island was used for various public purposes, including a beacon to warn the area of the approach of an enemy. It was not until 1877, however, that Bedloe's Island—this spelling an historical accident—was called upon to serve as a beacon for enlightening the world, when it was chosen as the site of the great French sculptor Bartholdi's Statue of Liberty. It is with a sense of the great significance of this magnificent movement in the name of liberty that I have joined in asking the Congress to change the island's name, and with no intent to slight the memory of Mr. Bedloo. I feel confident that he would deeply appreciate this gesture of affirmation of the love of liberty which motivates this movement.

I am happy to yield to my friend, the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. May I say that this is entirely agreeable to me. Bedloe's Island is in my district. There is only one resident of the island, that is Miss Liberty herself. I do not know whether she votes Democratic or Republican, but we would like to have the name changed to Liberty Island.

Mr. DORN of New York. I withdraw my reservation of objection, Mr. Speaker, and I ask unanimous consent to extend my remarks at this time.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DORN of New York. Mr. Speaker, I should like to offer my strong support of Senate Joint Resolution 114, the measure which changes the name of Bedloe's Island in New York Harbor to Liberty Island.

This famous and historical island which, to all of us, has signified liberty and, to the new immigrant, has been the symbol of a hope fulfilled, is deserving of a title more fitting than its present designation. What is more appropriate than the name "Liberty Island," where stands a statue signifying liberty—a statue which, of importance, was formally presented to the United States on July 4, 1884, a date which has only one vital meaning.

I believe the island, which has borne many names, should have its full designation not only in spirit but in name, so that future generations will gain the true meaning of the island which holds the Statue of Liberty—the statue so aptly called by Emma Lazarus our Mother of Exiles, who continues to welcome "your tired, your poor, your huddled masses yearning to breathe free."

(Mr. HAYS of Arkansas asked and was granted permission to extend his own remarks.)

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Whereas the Statue of Liberty is to the world the symbol of the dreams and aspira-

tions which have drawn so many millions of immigrants to America;

Whereas to all Americans the Statue of Liberty stands eternal as the symbol of the freedom which has been made a living reality in the United States for all sorts and conditions of mankind, united in allegiance to the Constitution of the United States and to the imperishable ideals of our free society;

Whereas the majestic meaning of the Statue of Liberty is to be made more brilliant by the establishment at its foot, of The American Museum of Immigration as the gift of individual Americans to the American people for all future generations;

Whereas The American Museum of Immigration will tell for all time the story of the making of this great Nation of nations by the contributions of men and women who have been coming here since the earliest times from all over the world in search of liberty;

Whereas the Statue of Liberty stands on Federal land known as Bedloe's Island, which name today has no special significance and which is the latest of a series of other names by which such island has been known in the past; and

Whereas it is meet, fitting, and proper that the Statue of Liberty, with The American Museum of Immigration at its foot, be accorded a setting most appropriate for the great shrine of the American people: Now, therefore, be it

*Resolved, etc.,* That Bedloe's Island, which is located in New York Harbor, shall hereafter be known as Liberty Island, and any law, regulation, document, or record of the United States in which such island is designated or referred to under the name Bedloe's Island shall be held to refer to such island under and by the name of Liberty Island.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DISPOSAL OF CERTAIN FEDERAL PROPERTY IN BOULDER CITY

The Clerk called the bill (S. 514) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, at this time we have not received the committee report on this bill.

Mr. ASPINALL. And we have not received it either.

Mr. BYRNES of Wisconsin. I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

#### ACQUISITION OF NAVAHO INDIAN LANDS IN CONNECTION WITH GLEN CANYON UNIT, COLORADO RIVER STORAGE PROJECT

The Clerk called the bill (H. R. 11685) to provide for the acquisition of Navaho Indian lands required in connection with the construction, operation, and maintenance of the Glen Canyon unit, Colorado River storage project.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SHUFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

#### FORT RANDALL DAM IN SOUTH DAKOTA TO GRAND ISLAND, NEBR.

The Clerk called the resolution (H. J. Res. 672) to provide for a 230,000-volt line from the Fort Randall Dam in South Dakota to Grand Island, Nebr.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice. It will cost \$8,900,000, and should not be on the Consent Calendar.

Mr. ASPINALL. I join with the gentleman in his request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. CUNNINGHAM]?

There was no objection.

(Mr. MILLER of Nebraska asked and was granted permission to extend his remarks at this point in the Record.)

Mr. MILLER of Nebraska. There are several important flood-control projects that are not now in this House bill that will undoubtedly be inserted when the other body completes their hearing and takes final action on this flood-control measure. One of these projects will be the Gering Valley flood-control project. I am sure it will be in the bill that will go to conference. The Gering flood-control project does this:

Gering Valley lies in the extreme west-central tip of the State of Nebraska, in the watershed of the North Platte River, draining an area of approximately 86 square miles. The land is highly productive and fertile agricultural land, and nearly every tillable acre has been put to use in the production of sugar beets, beans, alfalfa, potatoes, small grains, and corn.

A large majority of the farms in the Gering Valley are served by irrigation facilities constructed by locally sponsored districts or units of the North Platte Valley project, which is one of the first projects constructed under the Reclamation Act of 1902. Protection of these works and the 54,846 acres of land served thereby is one of the prime objectives of the Gering Valley flood-control project.

In the past 25 years there have been 18 severe floods in this valley, with average annual damages amounting to nearly \$100,000. The most disastrous flood of record occurred in 1947, when losses amounted to nearly \$1.5 million. Just 2 weeks ago another flash flood damaged the Gering Valley to the extent of nearly \$280,000, and any sudden heavy rains in the future will certainly bring more destruction to the lands, crops, and facilities in the area.



In 1948, the Public Works Committee of the Senate, by resolution, authorized the Board of Engineers for Rivers and Harbors to undertake a review of the flood situation, and to devise a plan for controlling the runoff waters in the Gering Valley. These studies required several years, and upon completion a report was submitted to the Chief of Engineers, Department of the Army, on September 13, 1954, which suggested construction of four small detention dams, levees, and other related works that would cost \$1,104,500. This plan is now being recommended to the Congress. \$1,056,000 of this amount would be the Federal Government's investment, and \$48,500 would be the investment of local interests. In addition, the local interests would be required to furnish the land and easements necessary, and to perform certain other complementary work that would cost an additional \$300,000, and maintain the works. I am pleased to say that the local people have performed a substantial part of their obligation, and stand ready and willing to complete their bargain. Were they financially able to do so, they would undertake all of the work required to protect their property and interests; but they have already invested more than \$6 million over the years in just the irrigation and drainage works that serve their community, and substantial amounts for repairs and maintenance so they do not feel able to finance this additional expenditure without major assistance from the Federal Government.

The report of the Corps of Engineers shows that the benefit-to-cost ratio of this project is about 2 to 1. The project, in its present form, has been approved by the Bureau of the Budget.

It is my sincere hope that this extremely necessary and feasible flood-control project can be included in the Omnibus Flood Control Act this year.

#### SALE OF CERTAIN LANDS IN THE NATIONAL FORESTS

The Clerk called the bill (S. 1079) to provide for the sale of certain lands in the national forests.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GAVIN. Mr. Speaker, I object.

#### TERM PERMITS TO USE FOREST LANDS

The Clerk called the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the last paragraph under the heading "Forest Service" in the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), is amended to read as follows: "The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and

occupancy of suitable areas of land within the national forests, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 5 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or nonprofit agency, to use and occupy suitable areas of land within the national forests not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REINSURANCE OF PUERTO RICAN COFFEE CROP INSURANCE

The Clerk called the bill (H. R. 5275) to amend the Federal Crop Insurance Act, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### FAIR TREATMENT UNDER THE SOIL BANK PROGRAM

The Clerk called the bill (H. R. 11958) to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MASON and Mr. H. CARL ANDERSEN objected.

#### DEFINING THE WORD "DETENTION" IN THE CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (S. 65) to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. I understand the Department objected.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. FORD]?

Mr. SHORT. Mr. Speaker, would the gentleman withhold his request temporarily?

Mr. FORD. I will.

The SPEAKER pro tempore. Is the gentleman seeking recognition?

Mr. SHORT. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman can reserve the right to object.

Mr. SHORT. Mr. Speaker, reserving the right to object, this is one of the most meritorious pieces of legislation ever offered in this Congress. The Senate passed it long ago, and the House Committee on the Post Office and Civil Service were kind enough to give us a respectful hearing. A lot of Members of the House appeared on this, the gentleman from Kansas [Mr. AVERY], the gentleman from Virginia [Mr. BROYHILL], the gentlewoman from Michigan [Mrs. GRIFFITHS], the gentlewoman from Indiana [Mrs. HARDEN], the gentleman from Washington [Mr. MAGNUSON], the gentleman from Texas [Mr. RUTHERFORD], the gentleman from California [Mr. TEAGUE], and myself; we appeared as witnesses before a subcommittee presided over by the gentleman from Virginia [Mr. ROBESON], the gentlewoman from New York [Mrs. ST. GEORGE], and the gentleman from Texas [Mr. KILGORE].

This whole legislation hinges upon the definition of the term "detention." What it does is to give employees in Federal prisons, and hospitals, and institutions, the right of retirement who perform the same hazardous duties as so-called custodial officers. A custodial officer, or a guard with a gun on a tower on a wall is not in the same danger as the so-called noncustodial officer who is locked up unarmed with these inmates in these prisons and who perform these hazardous duties.

I wonder how much longer we are going to live and serve in this body to have the Bureau of the Budget or the Civil Service Commission interpreting the laws which this Congress enacts, interpret them in the way we did not intend?

We passed a law in the 80th Congress, and I think the intent was crystal clear and unmistakable to give all these employees in these prisons all over the country the same kind of protection. I know these men and women; in fact, I have a nephew who worked in the Federal hospital at Springfield, Mo., and who is now assistant warden at Chillicothe, Ohio. Although he is not affected by this legislation, he has told me repeatedly it is time that Congress took action, that they should have taken it long before now, to correct an obvious and manifest injustice.

I do hope the gentleman will let this legislation go through.

Under my reservation of objection I would like to yield to my very good friend the gentleman from Virginia [Mr.







Public Law 829 - 84th Congress  
Chapter 771 - 2d Session  
S. 2216

AN ACT

All 70 Stat. 708.

To amend the Act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last paragraph under the heading "FOREST SERVICE" in the Act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), is amended to read as follows:

National  
forest.  
Use of lands.

"The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding five acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or nonprofit agency, to use and occupy suitable areas of land within the national forests not exceeding eighty acres and for periods not exceeding thirty years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests."

Approved July 28, 1956.

